

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON FISH AND GAME

Call to Order: Chairman Gregory D. Barkus, on February 12, 2009
at 3:00 P.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Gregory D. Barkus, Chairman (R)
Sen. John Brenden, Vice Chairman (R)
Sen. Joe Balyeat (R)
Sen. Debby Barrett (R)
Sen. Larry Jent (D)
Sen. Jim Shockley (R)
Sen. Joseph (Joe) Tropila (D)

Members Excused:

Sen. Steven Gallus (D)
Sen. Trudi Schmidt (D)

Members Absent: None.

Staff Present: Lindsey Hern, Committee Secretary
Hope Stockwell, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 359, 2/9/2009

Executive Action: SB 213; SB 336; SB 344; SB 359;
SJ 19

HEARING ON SB 359

Opening Statement by Sponsor:

00:01:10 Sen. Jonathan Windy Boy (D), SD 16, opened the hearing on SB 359, Surcharge on illegal hunting and fishing activities to fund youth activities.

Proponents' Testimony:

00:03:16 Travis St. Marks, Box Elder High School Student
00:04:58 Cody Houle, Box Elder High School Student
00:06:15 Steve Zentmire, Box Elder High School Faculty

Opponents' Testimony:

00:09:00 Mary Phippen, Montana Magistrates Association (MMA)
00:12:25 Bob Gilbert, Walleye Unlimited of Montana (WUM)

Informational Testimony:

None

Questions from Committee Members and Responses:

00:13:54 Sen. Balyeat
00:14:53 Ken MacDonald, Fish Wildlife and Parks (FWP)
00:15:07 Sen. Balyeat
00:15:32 Mr. MacDonald, FWP
00:15:43 Sen. Balyeat
00:16:12 Mr. MacDonald, FWP
00:16:22 Sen. Balyeat
00:16:42 Mr. MacDonald, FWP
00:17:03 Sen. Balyeat
00:17:34 Mr. MacDonald, FWP
00:17:49 Sen. Balyeat
00:18:48 Ms. Phippin, MMA
00:19:29 Sen. Shockley
00:19:38 Sen. Balyeat
00:19:44 Sen. Tropila
00:20:17 Chairman Barkus
00:20:24 Sen. Brenden
00:20:54 Mr. MacDonald, FWP
00:21:11 Sen. Brenden
00:21:34 Mr. MacDonald, FWP
00:21:47 Chairman Barkus
00:22:15 Sen. Windy Boy
00:22:38 Chairman Barkus
00:22:49 Windy Boy

00:22:53 Sen. Barrett
00:23:19 Mr. Houle, Box Elder High School Student
00:23:25 Sen. Barrett

Closing by Sponsor:

00:24:01 Sen. Windy Boy

EXECUTIVE ACTION ON SB 336

00:25:22 **Motion:** Sen. Balyeat moved that **SB 336 DO PASS.**

Discussion:

00:25:30 Hope Stockwell, Legislative Service Division, LSD
00:25:58 Chairman Barkus

00:26:15 **Motion/Vote:** Sen. Balyeat moved that **SB 336 BE AMENDED.** Motion carried unanimously by voice vote. Sen. Gallus and Sen. Schmidt voted by proxy.

EXHIBIT(fis33a01)

00:28:29 **Motion:** Sen. Balyeat moved **SB 336 DO PASS AS AMENDED.**

Discussion:

00:28:39 Sen. Barrett
00:29:20 Chairman Barkus

00:29:54 **Vote:** Motion that **SB 336 DO PASS AS AMENDED** carried unanimously by voice vote. Sen. Gallus and Sen. Schmidt voted by proxy.

EXECUTIVE ACTION ON SJ 19

00:30:54 **Motion:** Sen. Brenden moved that **SJ 19 DO PASS.**

Discussion:

00:31:14 Sen. Jent
00:31:21 Sen. Barrett
00:31:57 Sen. Balyeat
00:32:16 Chairman Barkus
00:32:55 Sen. Brenden
00:33:36 Sen. Tropila
00:33:50 Chairman Barkus

00:33:57 **Vote:** Motion that **SJ 19 DO PASS** carried unanimously by voice vote. Sen. Gallus and Sen. Schmidt voted by proxy.

EXECUTIVE ACTION ON SB 344

00:35:04 **Motion:** Sen. Brenden moved that **SB 344 DO PASS**.

00:35:15 **Motion:** Sen. Shockley moved that **SB 344 BE AMENDED**.
[EXHIBIT\(fis33a02\)](#)

Discussion:

00:36:50 Mrs. Stockwell, LSD

00:37:58 Sen. Shockley

00:38:47 Sen. Balyeat

00:38:56 **Vote:** Motion that **SB 344 BE AMENDED** carried unanimously by voice vote. Sen. Gallus and Sen. Schmidt voted by proxy.

00:39:16 **Motion:** Sen. Shockley moved that **SB 344 DO PASS AS AMENDED**.

Discussion:

00:39:25 Sen. Balyeat

00:39:54 Sen. Brenden

00:40:08 **Vote:** Motion that **SB 344 DO PASS AS AMENDED** carried unanimously by voice vote. Sen. Gallus and Sen. Schmidt voted by proxy.

EXECUTIVE ACTION ON SB 213

00:41:01 **Motion:** Sen. Barkus moved that **SB 213 DO PASS**.

00:41:18 **Motion:** Sen. Balyeat moved that **SB 213 BE AMENDED**.
[EXHIBIT\(fis33a03\)](#)

Discussion:

00:41:44 Sen. Balyeat

00:42:23 **Vote:** Motion that **SB 213 BE AMENDED** carried unanimously by voice vote. Sen. Gallus and Sen. Schmidt voted by proxy.

00:42:54 **Motion:** Sen. Balyeat moved that **SB 213 DO PASS AS AMENDED.**

00:43:03 **Motion:** Sen. Balyeat moved that **SB 213 BE AMENDED.**
EXHIBIT(fis33a04)

Discussion:

00:44:09 Sen. Barrett

00:45:01 **Vote:** Motion that **SB 213 BE AMENDED** carried
unanimously by voice vote. Sen. Gallus and Sen. Schmidt
voted by proxy.

00:45:18 **Motion:** Sen. Balyeat moved that **SB 213 DO PASS AS AMENDED.**

Discussion:

00:45:34 Sen. Jent

00:46:34 Chairman Barkus

00:46:41 Sen. Schmidt came to the committee.

00:47:08 **Vote:** Motion that **SB 213 DO PASS AS AMENDED** carried 7-
2 by roll call vote with Sen. Jent and Sen. Schmidt
voting no. Sen. Gallus voted by proxy.

Additional Discussion:

00:48:03 Sen. Barrett

00:48:10 Chairman Barkus

00:48:33 Sen. Barrett

00:48:38 Chairman Barkus

EXECUTIVE ACTION ON SB 359

00:49:20 **Motion:** Sen. Shockley moved that **SB 359 DO PASS.**

Discussion:

00:49:29 Sen. Shockley

00:49:42 Sen. Balyeat

00:49:45 Sen. Shockley

00:49:52 Chairman Barkus

00:50:03 Sen. Balyeat

00:50:56 Chairman Barkus

00:51:13 Sen. Barrett

00:52:04 Sen. Shockley

00:52:12 Sen. Jent

00:52:42 **Substitute Motion/Vote:** Sen. Jent made a substitute motion that **SB 359 BE TABLED AND THE VOTE REVERSED.** Substitute motion carried by voice vote. Sen. Gallus voted by proxy.

Additional Business:

00:53:09 Chairman Barkus
00:53:38 Sen. Tropila
00:53:54 chairman Barkus
00:54:11 Sen. Tropila
00:54:20 Chairman Barkus
00:54:34 Sen. Balyeat
00:54:42 Sen. Tropila
00:54:46 Sen. Balyeat
00:55:02 Sen. Brenden
00:55:31 Chairman Barkus

At Sponsor's request there was no hearing for SB 19
EXHIBIT(fis33a05)

ADJOURNMENT

Adjournment: 3:58 P.M.

Lindsey Hern, Secretary

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Additional Documents:

EXHIBIT ([fis33aad.pdf](#))